

## § 602.45

(3) Provide the other party with a copy of the appeal at the same time it submits the appeal to the Secretary.

(b) The non-appealing party may file a written response to the appeal. If that party wishes to do so, it must—

(1) Submit its response to the Secretary no later than 30 days after receiving its copy of the appeal; and

(2) Provide the appealing party with a copy of its response at the same time it submits its response to the Secretary.

(c) Neither the agency nor the senior Department official may include any new evidence in its submission, i.e., evidence it did not previously submit to the subcommittee.

(d) If the subcommittee's recommendation is appealed, the Secretary renders a final decision after taking into account that recommendation and the parties' written submissions on appeal, as well as the entire record before the subcommittee and the subcommittee's opinion.

(Authority: 20 U.S.C. 1099b)

### **§ 602.45 May an agency appeal the Secretary's final decision to limit, suspend, or terminate its recognition?**

An agency may appeal the Secretary's final decision limiting, suspending, or terminating its recognition to the Federal courts as a final decision in accordance with applicable Federal law.

(Authority: 20 U.S.C. 1099b)

## **Subpart E—Department Responsibilities**

### **§ 602.50 What information does the Department share with a recognized agency about its accredited institutions and programs?**

(a) If the Department takes an action against an institution or program accredited by the agency, it notifies the agency no later than 10 days after taking that action.

(b) If another Federal agency or a State agency notifies the Department that it has taken an action against an institution or program accredited by the agency, the Department notifies the agency as soon as possible but no later than 10 days after receiving the

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written notice from the other Government agency.

(Authority: 20 U.S.C. 1099b)

## **PART 603—SECRETARY'S RECOGNITION PROCEDURES FOR STATE AGENCIES**

### **Subpart A [Reserved]**

### **Subpart B—Criteria for State Agencies**

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AUTHORITY: 20 U.S.C. 403(b), 1085(b), 1141(a), 1248(11); 42 U.S.C. 293a(b), 295f–3(b), 295h–4(1)(D), 298b(f); 38 U.S.C. 1775(a), unless otherwise noted.

### **Subpart A [Reserved]**

### **Subpart B—Criteria for State Agencies**

AUTHORITY: Sec. 438(b) of the Higher Education Act of 1965, Pub. L. 89–329 as amended by Pub. L. 92–318, 86 Stat. 235, 264 (20 U.S.C. 1087–1(b)), unless otherwise noted.

SOURCE: 39 FR 30042, Aug. 20, 1974, unless otherwise noted. Redesignated at 45 FR 77369, Nov. 21, 1980.

### **§ 603.20 Scope.**

(a) Pursuant to section 438(b) of the Higher Education Act of 1965 as amended by Pub. L. 92–318, the Secretary is required to publish a list of State agencies which he determines to be reliable authorities as to the quality of public postsecondary vocational education in their respective States for the purpose of determining eligibility for Federal student assistance programs administered by the Department.

(b) Approval by a State agency included on the list will provide an alternative means of satisfying statutory standards as to the quality of public postsecondary vocational education to be undertaken by students receiving assistance under such programs.

(Authority: 20 U.S.C. 1087–1(b))